IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO: 16812 of 2004

Between:

1 K. Narayanamma W/o. Ramanaiah
R/o. Isukapalli village, Tallapaka, Rajampet Mandal,
Kadapa District.
2 K. Venkata Subbamma W/o. Venkata Subbaiah
R/o. Isukapalli village, Tallapaka, Rajampet Mandal,
Kadapa District.
3 S. Lakshmamma W/o. Venkataiah
R/o. Isukapalli village, Tallapaka, Rajampet Mandal,
Kadapa District.

... PETITIONERS

AND

1 The District Collector, Kadapa District.
2 The Revenue Divisional Officer, Rajampet, Kadapa District.
3 The Mandal Revenue Officer, Rajampet Mandal, Kadapa District.
4 The Sub Divisional Police Officer, (SDPO), Kadapa District.
5 The Superintendent of Police, kadapa, Kadapa District.
6 Smt. C. Hymavathamma, Thallapaka, Rajampet Mandal,
Kadapa District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the order passed by the 2nd respondent vide proceedings Ref. Appeal No.1/2004, dt. 1.9.2004is illegal, arbitrary, un-constitutional, violative of Principles of natural justice, and contrary to the provisions of B.S.O., and consequently direct the respondents 1 to 3 not to evict the petitioners from their lands an extent of 0.03 cents each in S.No.117

of Thallapaka (v) Rajampet Manal, Kadapa District.

Counsel for the Petitioner: MR.G.KRISHNA MURTHY

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

By the impugned order, the Revenue Divisional Officer entertained the appeal filed by the Sarpanch, Thallapaka, Rajampet Mandal, Kadapa District against alleged irregular assignment to the ineligible persons viz. petitioners, assigning plots in their favour in the land in S.No.1117 of Thallapaka classified as *Poramboke.* It is also stated that under the garb of irregular assignments, when the petitioners attempted to erect huts, the same was foiled. Accordingly, the same was reported by the Mandal Revenue Officer on 31-08-2004 in his report. Keeping in view of the said report, the Revenue Divisional Officer suspended the operation of house site pattas granted in favour of the petitioners and six others pending enquiry into the matter and whether such assignment is permissible. The Mandal Revenue Officer obtained transfer of acquisition of land from the competent authority before assigning the said land and the eligibility of the issuance, who obtained the house site pattas in the

objectionable *poramboke*. Accordingly, the Mandal Revenue Officer was directed to maintain *status quo* obtaining as on 31-08-2004 until passing final orders and called upon to issue notice to the petitioners in whose favour the house site pattas were granted.

2. Learned counsel for petitioners strenuously contends that before suspension of the house site pattas, which were granted in the petitioners' favour, they are entitled to notice and they cannot be dispossessed from the lands. I do not see any force in the said submission made by the learned counsel for the petitioners since the order itself repeats that they are attempting to enter into the said lands for constructing the huts and the suspension of the pattas is only pending enquiry into the matter. The petitioners are at liberty to file their explanation to the Revenue Divisional Officer before whom the appeal is pending and can raise objections.

3. Learned counsel for the petitioner requests that petitioners are ready to file objections and the appellate authority may be directed to dispose of the appeal expeditiously, on petitioners filing their explanation within a period of two weeks from the date of receipt of a copy of this order.

4. In view of the same, the R.D.O. can conduct

enquiry after providing due opportunity to the petitioners and pass appropriate orders within a period of six weeks from the date of filing such explanation by the petitioners.

I see no grounds to interfere in the matter at this juncture. The Writ Petition is accordingly dismissed. No costs.

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A. GOPAL REDDY, J

September 17, 2004
MRR
To:

1 The District Collector, Kadapa District.
2 The Revenue Divisional Officer, Rajampet, Kadapa District.
3 The Mandal Revenue Officer, Rajampet Mandal, Kadapa District.
4 The Sub Divisional Police Officer, (SDPO), Kadapa District.
5 The Superintendent of Police, kadapa, Kadapa District.
6 Two C.C.s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)
7 Two C.D. Copies.